

AUG 02 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

VICTORIA MONTIEL;
GUILLERMO CUELLAR,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-70893

Agency Nos. A78-643-380
A27-712-756

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006**

Before: ALARCÓN, HAWKINS and THOMAS, Circuit Judges.

Victoria Montiel, and her husband Guillermo Cuellar, natives and citizens
of Mexico, petition pro se for review of the Board of Immigration Appeals'

* This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

(“BIA”) order affirming without opinion an immigration judge’s (“IJ”) decision denying their application for cancellation of removal. We dismiss the petition for review.

The petitioners’ contentions that the IJ and BIA acted arbitrarily and violated their due process rights by selectively weighing and disregarding their evidence and failing to consider all relevant hardship factors, are not supported by the record and do not amount to colorable constitutional claims. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005) (“[t]raditional abuse of discretion challenges recast as alleged due process violations do not constitute colorable constitutional claims that would invoke our jurisdiction.”)

PETITION FOR REVIEW DISMISSED.